



# NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY  
WESTERN DISTRICT OF MISSOURI

**TODD P. GRAVES**

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**FOR IMMEDIATE RELEASE**

## **EIGHT KC-AREA MEN INDICTED FOR FEDERAL FIREARMS VIOLATIONS**

**KANSAS CITY, Mo.** – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that eight Kansas City, Independence, and Lee's Summit, Mo., men were indicted by a federal grand jury today, in separate and unrelated cases, for violating federal firearms laws.

\* **Robert W. Elam, Jr.**, 41, of Kansas City, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Elam** was in possession of a Glock .40 caliber pistol on Feb. 16, 2004. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Elam** has a 1999 criminal felony conviction for attempted possession of a controlled substance.

This case is being prosecuted by Assistant U.S. Attorney Jess E. Michaelsen. It was investigated by the Kansas City, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Hector A. Hermosillo**, 23, of Kansas City, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Hermosillo** was in possession of a Ruger .45 caliber pistol on Sept. 16, 2002. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Hermosillo** has a 2002 criminal felony conviction for possession with intent to distribute a controlled substance.

This case is being prosecuted by Assistant U.S. Attorney Jess E. Michaelsen. It was investigated by the Independence, Mo., Police Department and the Bureau of Alcohol, Tobacco,

## Firearms and Explosives.

\* **Nathan W. Smith**, 38, of Kansas City, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Smith** was in possession of an Inter Arms .357 caliber rifle on Aug. 8, 2002. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Smith** has a 2000 criminal felony conviction for forgery, a 1999 criminal felony conviction for possession of a controlled substance, and a 1998 criminal felony conviction for forgery.

This case is being prosecuted by Assistant U.S. Attorney Jess E. Michaelson. It was investigated by the Johnson County, Mo., Sheriff's Department, the Raytown, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Matthew R. Tatham**, 22, of Lee's Summit, was charged with being a user of marijuana in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Tatham** was in possession of a Winchester 20-gauge shotgun and a weapon made from a Leinad CM-11/NINEmm rifle on Sept. 30, 2003. Under federal law, Graves explained, it is illegal for anyone who is a user or addict of a controlled substance to be in possession of any firearm or ammunition.

This case is being prosecuted by Assistant U.S. Attorney Jess E. Michaelson. It was investigated by the Lee's Summit, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Calvin Miller, Jr.**, 41, of Kansas City, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Miller** was in possession of a Ruger .22 caliber pistol on Oct. 25, 2003. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Miller** has a 2003 criminal felony conviction for resisting arrest.

This case is being prosecuted by Assistant U.S. Attorney Rudolph R. Rhodes, IV. It was investigated by the Kansas City, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Paul L. Byrd**, 33, of Independence, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Byrd** was in possession of a Winchester 12-gauge shotgun and a Maverick 12-gauge shotgun on Nov. 20, 2003. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any

firearm or ammunition. **Byrd** has two 1995 criminal felony convictions for sale of a controlled substance.

This case is being prosecuted by Assistant U.S. Attorney Rudolph R. Rhodes, IV. It was investigated by the Kansas City, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Robert L. Gillen**, 41, of Kansas City, was charged with being a felon in possession of a firearm in an indictment returned by a federal grand jury in Kansas City.

Today's indictment alleges that **Gillen** was in possession of a Ruger .40 caliber pistol and ammunition on Dec. 19, 2003. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Gillen** has a 1998 criminal felony conviction for carrying a concealed weapon, a 1991 criminal felony conviction for being a felon in possession of a firearm, a 1994 criminal felony conviction for possession of cocaine, a 1983 criminal felony conviction for escaping from prison, and a 1982 criminal felony conviction for assault.

This case is being prosecuted by Assistant U.S. Attorney Rudolph R. Rhodes, IV. It was investigated by the Kansas City, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

\* **Kemel C. Oliver**, 21, and **Marcus L. Smith**, 21, both of Kansas City, were charged in a two-count indictment returned by a federal grand jury in Kansas City.

Count One of the federal indictment alleges that **Oliver** was in possession of a Ruger .45 caliber, semi-automatic pistol on July 3, 2003. Under federal law, Graves explained, it is illegal for anyone who has been convicted of a felony to be in possession of any firearm or ammunition. **Oliver** has four 2003 criminal felony convictions for stealing by deceit, forgery, attempted stealing of a motor vehicle and fraudulent use of a credit device.

Count Two of the federal indictment alleges that **Smith** received a Ruger 9mm semi-automatic pistol on July 1, 2003. Under federal law, Graves explained, it is illegal for anyone who is under indictment for a felony to receive any firearm or ammunition. An indictment was filed against **Smith** on June 4, 2002, in Jackson County, Mo., for murder, assault, unlawful use of a weapon, and armed criminal action.

This case is being prosecuted by Assistant U.S. Attorney Rudolph R. Rhodes, IV. It was investigated by the Kansas City, Mo., Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Graves cautioned that the charges contained in today's indictments are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

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This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at  
[www.usdoj.gov/usao/mow](http://www.usdoj.gov/usao/mow)